

# МЕЖДУНАРОДНЫЙ СОЮЗ ЭЛЕКТРОСВЯЗИ



Бюро радиосвязи

(Факс: +41 22 730 57 85)

Административный циркуляр  
СА/164

3 октября 2006 года

## Администрациям Государств – Членов МСЭ и Членам Сектора радиосвязи

**Предмет:** Пересмотренные формуляры для представления патентных заявлений и лицензионных деклараций

В Административном циркуляре СА/148 (15 апреля 2005 года) содержались формуляры, используемые для представления в МСЭ-R патентных заявлений держателями выданных патентов или ожидающими решения по заявкам на патенты, при этом эти формуляры были приведены в соответствие с формулярами, используемыми в МСЭ-T. В результате последующих совместных обсуждений с Международной организацией по стандартизации (ИСО) и Международной электротехнической комиссией (МЭК) формуляры были вновь пересмотрены и приведены в соответствие с формулярами всех четырех указанных организаций. Эти новые формуляры, приложенные к настоящему Циркуляру, заменяют прежние формуляры, содержащиеся в Административном циркуляре СА/148 от 15 апреля 2005 года, и их следует применять с **30 сентября 2006 года**.

Следует отметить, что нет необходимости вновь представлять данные, которые уже содержатся в Базе данных по патентным заявлениям. Указанные новые стандартизированные формуляры следует использовать только для представления новых патентных заявлений.

Валерий Тимофеев  
Директор Бюро радиосвязи

### Приложения: 2

#### Рассылка:

- Администрациям Государств – Членов МСЭ
- Членам Сектора радиосвязи
- Председателям и заместителям председателей исследовательских комиссий по радиосвязи и Специального комитета по регламентарным/процедурным вопросам
- Председателю и заместителю председателя Консультативной группы по радиосвязи
- Председателю и заместителям председателя Подготовительного собрания к конференции
- Членам Радиорегламентарного комитета
- Генеральному секретарю МСЭ, Директору Бюро стандартизации электросвязи, Директору Бюро развития электросвязи

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# Annex 1 (English only)

**ITU**  
International Telecommunication Union



**ISO**  
International Organization for Standardization



**IEC**  
International Electrotechnical Commission



## **Patent Statement and Licensing Declaration** **for ITU-T/ITU-R Recommendation | ISO/IEC Deliverable**

*This declaration does not represent an implied license grant*

Please return to the relevant organization(s) as instructed below per document type:

Director  
Telecommunication  
Standardization Bureau  
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Union  
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CH-1211 Geneva 20,  
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1 rue de Varembe  
CH-1211 Geneva 20  
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Fax: +41 22 733 3430

General Secretary  
International Electrotechnical  
Commission  
3 rue de Varembe  
CH-1211 Geneva 20  
Switzerland  
Fax: +41 22 919 0301

**Patent Holder/Organization:**

Legal Name \_\_\_\_\_

**Contact for license application:**

Name & Department \_\_\_\_\_

Address \_\_\_\_\_

Tel. \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

URL (optional) \_\_\_\_\_

**Document type:**

ITU-T Rec. (\*)       ITU-R Rec. (\*)       ISO Deliverable (\*)       IEC Deliverable (\*)

(Please return the form to the relevant organization)

**Common text or twin text (ITU-T Rec. | ISO/IEC Deliverable (\*\*))** (for common text or twin text, please return the form to each of the three organizations: ITU-T, ISO, IEC)

**ISO/IEC Deliverable (\*)** (for ISO/IEC Deliverables, please return the form to both ISO and IEC)

(\*) Number \_\_\_\_\_

(\*) Title \_\_\_\_\_

**Licensing declaration:**

The Patent Holder believes that it holds granted patents and/or pending applications, the use of which would be required to implement the above document and hereby declares, in accordance with the Common Patent Policy for ITU-T/ITU-R/ISO/IEC, that (check one box only):

<input type="checkbox"/>	<p>1. The Patent Holder is prepared to grant a <u>free</u> license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the above document.</p>
	<p>Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO or IEC.</p>
	<p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.</i></p>
	<p><i>Also mark here __ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not for free) to applicants who are only willing to license their patent claims, whose use would be required to implement the above document, on reasonable terms and conditions (but not for free).</i></p>
<input type="checkbox"/>	<p>2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the above document.</p>
	<p>Negotiations are left to the parties concerned and are performed outside the ITU-T, ITU-R, ISO, or IEC.</p>
	<p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on reciprocity for the above document.</i></p>
<input type="checkbox"/>	<p>3. The Patent Holder is unwilling to grant licenses in accordance with provisions of either 1 or 2 above. In this case, the following information must be provided as part of this declaration:</p>
	<ul style="list-style-type: none"><li>- granted patent number or patent application number (if pending);</li><li>- an indication of which portions of the above document are affected;</li><li>- a description of the patent claims covering the above document.</li></ul>
<p><b>Free:</b> The word "free" does not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free" refers to the issue of monetary compensation; <i>i.e.</i>, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the above document sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, reciprocity, warranties, etc.</p>	
<p><b>Reciprocity:</b> As used herein, the word "reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its essential patent(s) or essential patent claim(s) for implementation of the same above document for free or under reasonable terms and conditions.</p>	
<p><b>Signature:</b></p> <p>Organization _____</p> <p>Name of authorized person _____</p> <p>Title of authorized person _____</p> <p>Signature _____</p> <p>Place, Date _____</p>	

FORM: September 2006

<b>Patent Information</b> (desired but not required for options 1 and 2; required for option 3 (NOTE))				
<b>No.</b>	<b>Status</b> [granted/ pending]	<b>Country</b>	<b>Granted Number or Application Number (if pending)</b>	<b>Title</b>
1				
2				
3				

NOTE: For option 3, the additional minimum information that shall also be provided is listed in the option 3 box above.

## Annex 2 (English only)

ITU  
International Telecommunication Union



### **General Patent Statement and Licensing Declaration** **for ITU-T/ITU-R Recommendation**

*This declaration does not represent an implied license grant*

Please return to the relevant bureau:

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International Telecommunication Union  
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Switzerland  
Fax: +41 22 730 5853

Director  
Radiocommunication Bureau  
International Telecommunication Union  
Place des Nations  
CH-1211 Geneva 20,  
Switzerland  
Fax: +41 22 730 5785  
Email: brmail@itu.int

#### **Patent Holder/Organization:**

Legal Name \_\_\_\_\_

#### **Contact for license application:**

Name & Department \_\_\_\_\_

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#### **Licensing declaration:**

In case part(s) or all of any proposals contained in contributions submitted by the organization above are included in ITU-T/ITU-R Recommendation(s) and the included part(s) contain items that have been patented or for which patent applications have been filed and whose use would be required to implement ITU-T/ITU-R Recommendation(s), the above Patent Holder hereby declares, in accordance with the Common Patent Policy for ITU-T/ITU-R/ISO/IEC (check one box only):



1. The Patent Holder is prepared to grant a free license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the relevant ITU-T/ITU-R Recommendation.

Negotiations are left to the parties concerned and are performed outside the ITU-T/ITU-R.

*Also mark here \_\_\_ if the Patent Holder's willingness to license is conditioned on reciprocity for the above ITU-T/ITU-R Recommendation.*

*Also mark here \_\_\_ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not for free) to applicants who are only willing to license their patent claims, whose use would be required to implement the above ITU-T/ITU-R Recommendation, on reasonable terms and conditions (but not for free).*



2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the relevant ITU-T/ITU-R Recommendation.

Negotiations are left to the parties concerned and are performed outside the ITU-T/ITU-R.

*Also mark here \_\_\_ if the Patent Holder's willingness to license is conditioned on reciprocity for the above ITU-T/ITU-R Recommendation.*

**Free:** The word "free" does not mean that the Patent Holder is waiving all of its rights with respect to the essential patent. Rather, "free" refers to the issue of monetary compensation; *i.e.*, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the ITU-T/ITU-R Recommendation sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, reciprocity, warranties, etc.

**Reciprocity:** As used herein, the word "reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its essential patent(s) or essential patent claim(s) for implementation of the same ITU-T/ITU-R Recommendation for free or under reasonable terms and conditions.

**Signature:**

Organization \_\_\_\_\_

Name of authorized person \_\_\_\_\_

Title of authorized person \_\_\_\_\_

Signature \_\_\_\_\_

Place, Date \_\_\_\_\_

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\_\_\_\_\_